

**PUBLIC HEALTH DEPARTMENT[641]**

**Adopted and Filed**

Pursuant to the authority of Iowa Code section 714.16, the Department of Public Health hereby rescinds Chapter 14, “Residential Water Treatment Systems,” and adopts new Chapter 14, “Water Treatment Systems,” Iowa Administrative Code.

These rules describe the requirements for water treatment systems that are advertised or sold in Iowa and for which a claim is made that the system reduces health-related contaminants in drinking water. The rules also include the procedures and fees for the registration of water treatment systems.

A summary of the major changes from the rescinded rules follows.

Definitions for “ANSI,” “drinking water,” “maximum contaminant level” or “MCL,” “performance indication device” or “PID,” and “surrogate” are added.

Definitions for “initial registration,” “performance testing” and “water treatment system” are revised.

The term “health-related contaminant” has been changed to “contaminant,” and the definition has been revised.

The term “National Sanitation Foundation (NSF)” has been changed to “NSF,” and the definition has been revised.

The definition for “temporary registration” has been omitted.

Rule 641—14.4(714) has been rewritten to reference nationally recognized testing standards for water treatment systems and to clarify the submission and evaluation of testing protocols not specifically referenced in the rule. A minimum performance standard for water treatment systems was added. A requirement for retesting and submission of test data at least every five years has been added.

Rule 641—14.5(714) has been reorganized, and a fee has been added for review of third-party testing agencies. The information required for evaluation of an agency has been added with provisions for a simplified application if an agency is nationally accredited. An appeal process for disapproval, conditions under which resubmission might be required, and a revocation procedure and appeal process have been added.

Rule 641—14.6(714) (formerly rule 641—14.8(714)) deletes the provisions for temporary registration, lists the information required for an application to register a water treatment system with relaxed provisions for systems tested by a nationally recognized agency, increases the fees for initial and renewal registration and establishes penalties for late renewal applications, and establishes the expiration date for initial registrations.

Subrule 14.6(3) requires submission of information about changes to a water treatment system or its trade names and sets a fee for review of the changes.

Rule 641—14.7(714) (formerly rule 641—14.6(714)) allows performance data sheets to be in accordance with national standards and the policies of nationally recognized testing agencies.

Rule 641—14.9(714) requires that a water treatment system be registered before being sold in Iowa and that the performance data sheet and a consumer information booklet be given to the buyer before a sale is consummated. The rule prohibits false or deceptive claims and representations that a water treatment system is approved or endorsed by the state of Iowa.

Rule 641—14.11(714) (formerly rule 641—14.9(714)) has been amended to add criminal penalties as well as civil penalties.

Notice of Intended Action was published in the September 24, 2008, Iowa Administrative Bulletin as **ARC 7171B**. A public hearing was held on October 14, 2008. No public comment was received. These rules are identical to those published under Notice.

These rules were adopted by the State Board of Health on November 12, 2008.

These rules will become effective on January 7, 2009.

These rules are intended to implement Iowa Code chapter 714.

EDITOR'S NOTE: Pursuant to recommendation of the Administrative Rules Review Committee published in the Iowa Administrative Bulletin, September 10, 1986, the text of these rules [Ch 14] is being omitted. These rules are identical to those published under Notice as **ARC 7171B**, IAB 9/24/08.

[Filed 11/12/08, effective 1/7/09]

[Published 12/3/08]

[For replacement pages for IAC, see IAC Supplement 12/3/08.]